

REMARKS

This Amendment is in response to the Final Office Action dated August 30, 2004. In this case, Claims 1 to 15 are pending and have been rejected. Claims 1, 2, 5 and 12 have been amended. It is believed that no fees are due in connection with this Amendment; however, please charge Deposit Account No. 02-1818 for any fees owed.

Claim 2 was rejected under 35 U.S.C. §112, first paragraph. Applicant has amended Claim 2 to comply with the written description requirement. This amendment is non-narrowing and disclaims no subject matter over the art of record.

Claims 5 and 12 were rejected under 35 U.S.C. §112, second paragraph. Applicant has amended Claims 5 and 12 to correct the antecedent basis. This amendment is non-narrowing and disclaims no subject matter over the art of record.

Claims 1 to 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over The Good Cook Techniques and Recipes publication ("*Good Cook*"). Applicant respectfully submits that the claims as presently presented are not obvious in view of *Good Cook*.

Good Cook fails to teach or suggest immersing individual slices into a seasoning liquid solution as claimed in each of independent Claims 1, 5 and 12 of the present invention. Only one recipe in *Good Cook* discloses slicing chicken pieces into individual slices, namely, "Stir Fried Chicken with Fresh Mushrooms," page 96. In this recipe, a marinade including 2 tbsp or 30 ml of a liquid (cold water) is used. This volume of liquid appears insufficient to immerse even a 2 inch x 1 inch x 1/8 inch slice of boneless chicken breast and is most certainly insufficient to immerse multiple slices of a 6 oz boneless chicken breast required in the recipe. Furthermore, when the liquid is combined with the 2 1/2 tsp (12 ml) of solid (corn starch and salt), a paste is formed to act as a coating rather than a seasoning liquid solution in which individual slices are permeated. Therefore, *Good Cook* fails to teach or suggest immersing individual slices into a seasoning liquid solution.

Good Cook fails to teach or suggest marinating meat products for less than 60 seconds as recited in Claim 12 for example. In the "Stir Fried Chicken with Fresh Mushrooms" recipe in *Good Cook* discussed above, the sliced chicken is combined with the marinade ingredients for up to 24 hours. Such a lengthy time period would not teach or suggest to one of skill in the art to

provide slices of such thickness so that a seasoning liquid solution can permeate across each slice in less than 30 seconds (as in Claim 5) or to maintain each individual slice in the seasoning solution for less than 60 seconds (as in Claim 12). Indeed, the teachings of *Good Cook* are in complete contrast to the claimed invention, which is directed to speeding the process of curing and processing meat products (See, e.g., page 2, lines 12 to 18 of the Specification).

Furthermore, as discussed in the previous Amendment filed July 6, 2004, *Good Cook* fails to teach or suggest a method of curing and processing a meat product on a commercial scale as in the present invention. *Good Cook* includes methods directed to small-scale or home cooking. For example, in the "Stir Fried Chicken with Fresh Mushrooms" recipe, the recipe includes the step of "using your hand" to mix well the marinade ingredients with the sliced chicken. Such a requirement is not feasible on a commercial scale and would, therefore, not be obvious.

Stated simply, *Good Cook* does not teach or suggest at least the slicing steps and the immersing steps of the present invention. There is no suggestion to slice the chilled part into individual slices, the slices being of such thickness so as to absorb fully a seasoning liquid solution in a single immersion as recited in Claim 1. There is no suggestion to slice the meat product into individual slices, the slices being of such thickness so that a seasoning liquid solution can permeate across each slice in less than 30 seconds as recited in Claim 5. There is no suggestion to slice the meat product into individual slices, the slices being of such thickness so that a seasoning liquid solution can permeate across each slice as recited in Claim 12.

Furthermore, *Good Cook* provides no suggestion to immerse the individual slices into the seasoning liquid solution as recited in Claims 1 and 5. It provides no suggestion to immerse the individual slices into the seasoning liquid solution a single time and to maintain each individual slice in the seasoning solution for less than 60 seconds as recited in Claim 12. For at least the above reasons, Applicant submits respectfully that Claims 1 to 15 are allowable over *Good Cook*.

Claims 1 to 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,012,808 to Strong ("*Strong*"). Claim 1 includes slicing a chilled whole poultry part into individual slices, the slices being of such thickness so as to absorb fully a seasoning liquid solution in a single immersion. The individual slices are immersed into the seasoning liquid

solution and maintained in the seasoning solution for a time period sufficient for each slice to fully absorb the solution. Claim 12 includes immersing the individual slices into the seasoning liquid solution a single time and maintaining each individual slice in the seasoning solution for less than 60 seconds.

Like *Good Cook*, *Strong* also fails to teach or suggest slicing a chilled whole poultry part into individual slices, the slices being of such thickness so as to absorb fully a seasoning liquid solution (Claim 1) or of such thickness so that a seasoning liquid solution can permeate across each slice (Claims 5 and 12). Instead, as disclosed in *Strong*, chicken processed in the marinator assembly is not sliced, but is cut up into nine pieces, namely into two drumsticks, two thighs, two wings, two side breasts and one keelbone (*Strong*, column 4, lines 65 to 68). Clearly, *Strong* fails to teach or suggest slicing.

Further, throughout the disclosure, *Strong* discusses improving “pick-up” of marinade. However, nothing in *Strong* teaches or suggests that the marinade is to be fully absorbed or permeated across each chicken piece. *Strong*, therefore, not only fails to teach slicing generally but fails to teach or suggest slicing according to the claims, e.g., slicing a meat product so that a seasoning liquid solution can permeate across each slice, or do so in accordance with the immersion times listed in various claims.

Not only does *Strong* fail to teach or suggest marinating a meat product to fully absorb the marinating solution, but *Strong* fails to teach or suggest immersing individual slices into a seasoning liquid solution a single time. Specifically, *Strong* fails to teach or suggest immersing into a seasoning liquid solution individual slices that are sliced to absorb fully the seasoning liquid solution in a single immersion and maintaining those individual slices in the seasoning solution for a time period sufficient for each slice to fully absorb the solution as in Claim 1. In addition, *Strong* also fails to teach or suggest immersing individual slices into a seasoning liquid solution a single time as in Claim 12.

Instead, *Strong* discloses a method of increasing the rapidity of picking up marinade by conveying cut chicken pieces through a marinade and repeatedly lifting the chicken pieces out of the marinade and dropping them back into the marinade (*Strong*, column 4, lines 55 to 66). In fact, *Strong* requires lifting the chicken pieces out of the marinade and dropping them back into

the marinade forty to ninety times over a period of up to fifteen minutes to improve “pick-up” of marinade (*Strong*, column 5, lines 19 to 24 and column 6, lines 19 to 22). *Strong* indeed teaches away from immersing individual slices into a seasoning liquid solution a single time. Additionally, *Strong* teaches away from slicing the meat product so as to absorb fully the seasoning liquid solution in a single immersion and maintaining those individual slices in the seasoning solution for a single time period sufficient for each slice to fully absorb the solution.

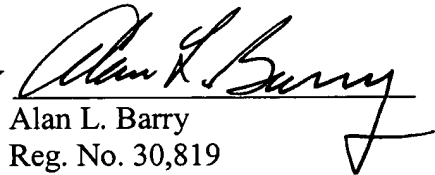
Applicant respectfully submits that neither *Good Cook* nor *Strong* teaches or suggests the features of Claims 1, 5 and 12 taken individually or read together. Therefore, Claims 1, 5 and 12 are patentably distinguished over both *Good Cook* and *Strong*. For at least the above-described reasons, Applicant respectfully submits that independent Claim 1 and Claims 2 to 4, that depend from Claim 1, independent Claim 5 and Claims 6 to 11 that depend from Claim 5, and independent Claim 12 and Claims 13 to 15 that depend from Claim 12 are in condition for allowance.

Applicant accordingly respectfully requests that the current rejections be withdrawn and that the above-identified patent application be deemed in a condition for allowance.

Respectfully submitted,

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